

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CATHY GREEN,

Plaintiff,

v.

KILOLO KIJAKAZI,¹

Acting Commissioner of Social Security,

Defendant.

No. 3:21-CV-00033

(Chief Judge Brann)

(Magistrate Judge Saporito)

ORDER

SEPTEMBER 6, 2022

Cathy Green filed this action seeking review of a decision of the Acting Commissioner of Social Security (“Commissioner”) denying Green’s claim for social security disability benefits.² In July 2022, Magistrate Judge Joseph F. Saporito, Jr., issued a Report and Recommendation recommending that this Court affirm the Commissioner’s decision and close this case.³

Green filed timely objections to the Report and Recommendation, raising several claimed errors in Magistrate Judge Saporito’s Report and Recommendation.⁴ “If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a *de novo* determination of those portions of the report or specified

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Kilolo Kijakazi, as the successor officer to Andrew Saul, Commissioner of Social Security, is automatically substituted as Defendant in this action.

² Docs. 1, 17.

³ Doc. 22.

⁴ Doc. 23.

proposed findings or recommendations to which objection is made.’’⁵ Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁶

Upon *de novo* review of the record, the Court finds no error in Magistrate Judge Saporito’s recommendation. Although Green disputes some of Magistrate Judge Saporito’s observations and conclusions, Magistrate Judge Saporito correctly determined that, as a whole, the Commissioner’s decision is supported by substantial evidence. Consequently, **IT IS HEREBY ORDERED** that:

1. Magistrate Judge Joseph F. Saporito’s Report and Recommendation (Doc. 22) is **ADOPTED**;
2. The Commissioner’s decision is **AFFIRMED**;
3. Final Judgment is entered in favor of Defendant and against Green pursuant to Fed. R. Civ. P. 58 and sentence four of 42 U.S.C. § 405(g);
and
4. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann
Chief United States District Judge

⁵ *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.